

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: IMMUNOTHERAPY IN HIV INFECTED PERSONS USING VACCINES AFTER MULTI-DRUG TREATMENT, the specification of which was filed on 27 July 2000 as PCT International Application No. PCT/US00/20641, and which corresponding U.S. National Phase application is filed herewith.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/146,240	28 July 1999
60/178,989	28 January 2000
60/200,445	28 April 2000

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) of the Government of the United States of America as represented by the Secretary of the Department of Health and Human Services, Office of Technology Transfer, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Robert Benson, Reg. No. 33,612  
Steven M. Ferguson, Reg. No. 38,448  
James C. Haight, Reg. No. 25,588  
John P. Kim, Reg. No. 38,514

Susan S. Rucker, Reg. No. 35,762  
David R. Sadowski, Reg. No. 32,808  
Jack Spiegel, Reg. No. 34,477

Send Correspondence to Appointed Associate Attorney or Agent Address:  <b>Jean M. Lockyer</b> <b>TOWNSEND and TOWNSEND and CREW LLP</b> <b>Two Embarcadero Center, 8th Floor</b> <b>San Francisco, CA 94111-3834</b>	Direct Telephone Calls and Facsimiles to Appointed Associate Attorney or Agent:  <b>Name: Jean M. Lockyer</b> <b>Reg. No.: 44,879</b> <b>Telephone: 415/576-0200</b> <b>Fax: 415/576-0300</b>
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<b>Full Name of Inventor 1</b>	<b>Last Name</b> <u>Franchini</u>	<b>First Name</b> <u>Genoveffa</u>	<b>Middle Name or Initial</b>	
<b>Residence &amp; Citizenship</b>	City <u>Bethesda</u> MD	State/Foreign Country Maryland	Country of Citizenship US	
<b>Post Office Address</b>	Post Office Address 4400 17th Street N.W.	City Washington	State/Country DC	Zip Code 20011
<b>Full Name of Inventor 2</b>	<b>Last Name</b> <u>Hel</u>	<b>First Name</b> <u>Zdenek</u>	<b>Middle Name or Initial</b>	
<b>Residence &amp; Citizenship</b>	City <u>Rockville</u> MD	State/Foreign Country Maryland	Country of Citizenship CZ	
<b>Post Office Address</b>	Post Office Address 10436 Rockville Pike #101	City Rockville	State/Country Maryland	Zip Code 20852
<b>Full Name of Inventor 3</b>	<b>Last Name</b> <u>Shearer</u>	<b>First Name</b> <u>Gene</u>	<b>Middle Name or Initial</b>	
<b>Residence &amp; Citizenship</b>	City <u>Bethesda</u> MD	State/Foreign Country Maryland	Country of Citizenship US	
<b>Post Office Address</b>	Post Office Address 5512 Glenwood Road	City Bethesda	State/Country Maryland	Zip Code 20817
<b>Full Name of Inventor 4</b>	<b>Last Name</b> <u>Tartaglia</u>	<b>First Name</b> <u>James</u>	<b>Middle Name or Initial</b>	
<b>Residence &amp; Citizenship</b>	City <u>Aurora</u> CA	State/Foreign Country Ontario, Canada	Country of Citizenship US	
<b>Post Office Address</b>	Post Office Address 62 Brookeview Drive	City Aurora	State/Country Ontario, Canada	Zip Code L4G 6R6
<b>Full Name of Inventor 5</b>	<b>Last Name</b> <u>Nacsa</u>	<b>First Name</b> <u>Janos</u>	<b>Middle Name or Initial</b>	
<b>Residence &amp; Citizenship</b>	City <u>Silver Spring</u> MD	State/Foreign Country Maryland	Country of Citizenship HU	
<b>Post Office Address</b>	Post Office Address 10834 Margate Road	City Silver Spring	State/Country Maryland	Zip Code 20901

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 <i>Genoveffa Franchini</i>	Signature of Inventor 2 <i>Zdenek Hel</i>	Signature of Inventor 3 <i>Gene Shearer</i>
Genoveffa Franchini Date 17,01,2002	Zdenek Hel Date Jan 17th. 2002	Gene Shearer Date 01-17-02
Signature of Inventor 4	Signature of Inventor 5 <i>Janos Nacs</i>	
James Tartaglia Date	<i>Janos Nacs</i> Date 1/17/02	

SP 304569 v1

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Genoveffa Franchini	Zdenek Hel	Gene Shearer
Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	
James Tartaglia	Janos Nacs	
Date January 23, 2002	Date	

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10/048072

JC13 Rec'd PCT/PTO 25 JAN 2002  
Attorney Docket No. 015280-400300US  
DHHS Ref. No. E-212-99/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FRANCHINI *et al.*

Application No.: Unassigned

Filed: Herewith

For: IMMUNOTHERAPY IN HIV  
INFECTED PERSONS USING VACCINES  
AFTER MULTI-DRUG TREATMENT

Examiner: Unassigned

Art Unit: Unassigned

APPOINTMENT OF ASSOCIATE  
ATTORNEYS AND AGENTS BY  
PRINCIPAL ATTORNEY OR AGENT  
UNDER 37 CFR §1.34(b) AND  
MPEP 402.02

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b) and MPEP 402.02, the undersigned principal attorney or agent of record hereby appoints the following representatives from the law firm of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111-3834, telephone: (415) 576-0200, as associate attorneys and/or patent agents in this application with full powers to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith:

Scott L. Ausenhus, Reg. No. 42,271  
Kevin L. Bastian, Reg. No. 34,774  
Nathan Cassell, Reg. No. 42,396  
Rosemarie L. Celli, Reg. No. 42,397  
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Dated: 1/25/02

Respectfully submitted,

United States Department of Health and  
Human Services

By D. J. Beck  
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10/048072

JC13 Rec'd PCT/PTO 25 JAN 2002

STATEMENT UNDER 37 C.F.R. § 3.73(b)Applicants: Genoveffa Franchini, Zdenek Hel, Gene Shearer, James Tartaglia, Janos NacsApplication No.: UnassignedFiled: HerewithFor: IMMUNOTHERAPY IN HIV INFECTED PERSONS USING VACCINES AFTER MULTI-DRUG TREATMENTUnited States Department of Health and Human Services, a government agency

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

Name and Reg. No.:

Title:

Signature:

January 25, 2002

DALE D. BERKLEY 1/4/2002 DALE D. BERKLEY

Licensing Specialist

DALE D. BERKLEY